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Letter dated 31 December 2007 from the Secretary-General addressed to the President of the Security Council

I attach for your attention a letter dated 12 December 2007 from Judge Fausto Pocar, President of the International Criminal Tribunal for the former Yugoslavia (see annex). President Pocar requests the appointment of two ad litem judges to enable the Tribunal to start conducting a new and eighth trial in February 2008 in case No. IT-03-69-PT, *Prosecutor v. Stanisic and Simatovic*.

I would be grateful if you could bring President Pocar's letter to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon

08-21478 (E) 220108

Annex

Letter dated 12 December 2007 from the President of the International Criminal Tribunal for the former Yugoslavia addressed to the Secretary-General

By the present letter, I have the honour to refer to the 116th plenary meeting of the fifty-ninth session of the General Assembly, on 24 August 2005, during which 27 ad litem judges of the International Criminal Tribunal for the former Yugoslavia were elected for a term of four years. By virtue of that resolution, and pursuant to Security Council resolution 1329 (2000), I am writing to request the appointment of two ad litem judges to enable the Tribunal to start conducting a new and eighth trial in February 2008 in the case No. IT-03-69-PT, *Prosecutor v. Stanisic and Simatovic*.

The appointment of ad litem judges currently serving on other trials to serve additionally on this new trial would not be an appropriate course of action, either because these judges' respective statutory terms of three years would expire before the expected completion of this trial in February 2009 or because these judges are already serving on two trials.

I also give you advance notice that once the trial in the case No. IT-04-84-T, *Prosecutor v. Haradinaj et al.* is completed, which is scheduled for the end of February 2008, one of the two ad litem judges in that case will leave the Tribunal. The second ad litem judge in that case being also appointed as a reserve judge in one of the multi-accused trials, I would request the appointment of two new ad litem judges in order to start the following trial in the case No. IT-06-90-PT, *Prosecutor v. Gotovina et al.*

I am aware that these requests would amount to a temporary increase of the number of ad litem judges beyond 12. Should you be willing to seek authorization from the Security Council to do so, I wish to stress that the number of ad litem judges would return to 13 as soon as the trial in the case No. IT-04-82-T, *Prosecutor v. Boskovski and Tarculovski* is completed, which is scheduled for the end of June 2008. It would then return to 12, as provided under the statute, as soon as the Tribunal's first multi-accused trial is completed, which is scheduled for September 2008.

I remain at your disposal for any additional information you may require concerning this request. Thank you in advance for your action in this regard.

(*Signed*) Fausto **Pocar**